

REMARKS

The Office Action mailed May 22, 2006 has been received and carefully considered. Claims 64-86 were examined on their merits. Claims 64-86 are currently pending in the present application. It is believed that this Amendment, in conjunction with the following remarks, places the application in immediate condition for allowance.

Applicant petitions for a one-month extension of time necessary to maintain the pendency of the present application. The U.S. Patent and Trademark Office is authorized to charge the undersigned's Deposit Account No. 50-2613, Order No. 45098.00010.UTL1.P1068, in the amount of \$160 for the one-month extension of time.

I. The Objection To Claims 69-72, 78-80, And 83-86

Claims 69-72, 78-80, and 83-86 are objected to because each claim recites the phrase "the service," for which there allegedly is no antecedent basis. *See* Office Action pages 2-3. Applicants have amended claims 69-72 and 78-80 to recite "wherein the destination endpoint and domain are associated with a service." Claim 83 has been amended to depend from claim 82, which recites "a collaborative communication service." Finally, claims 84-86 have been amended to depend from claim 83. Accordingly, claims 69-72, 78-80, and 83-86 are all supported by proper antecedent basis for the phrase "the service," and the Examiner is respectfully asked to withdraw his objection to claims 69-72, 78-80, and 83-86.

II. The Objection To Claim 82

Claim 82 was objected to for reciting the phrase "the domains," for which there allegedly is no antecedent basis. *See* Office Action page 3. Applicants have amended claim 82 as requested by the Examiner. Accordingly, the Examiner is respectfully asked to withdraw his objection to claim 82.

III. The Anticipation Rejection Of Claims 64-86

Claims 64-86 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ludwig et al., U.S. Patent No. 6,237,025 ("Ludwig"). Claims 64 and 76 are independent claims. Applicants respectfully request that the Examiner reconsider the rejection for at least the reasons stated below.

To be an "anticipation" rejection under 35 U.S.C. § 102, the reference must teach every element and recitation of the Applicants' claims. Rejections under 35 U.S.C. § 102 are proper only when the claimed subject matter is identically disclosed or described in the prior art. Thus,

the reference must clearly and unequivocally disclose every element and recitation of the claimed invention.

Ludwig is directed towards a multimedia collaboration system that integrates networks. *See, e.g.*, Ludwig Abstract. More specifically, Ludwig discusses a two-party videoconferencing system that can connect two collaborative multimedia workstations (“CMWs”) together using an Audio Video Network Manager (“AVNM”). *See, e.g.*, *id.* at column 21, lines 36-64.

A. Independent Claim 64

Independent claim 64 recites the following selected limitations: “receiving a message from an endpoint engaged in the collaborative communication session,” and “determining a destination address from the message.”

1. Ludwig fails to disclose determining a destination address from a message received from an endpoint engaged in a collaborative communication session.

The Examiner appears to argue that receiving a request from a CMW that is initiating a call, the message containing the address of a second CMW, and querying a Service Server to find a service instance corresponding to that address discloses the claimed determining a destination address from the message received from an endpoint engaged in a collaborative communication session. *See* Office Action page 4. Applicants respectfully disagree. As disclosed in Ludwig, and cited by the Examiner, a CMW requests a user’s (a second CMW) address from the Directory Service and transmits that address to the AVNM when the CMW is initiating a call. *See, e.g.*, Ludwig column 21 line 67 – column 22, line 24. The CMW is not engaged in a collaborative communication session at the time the request is transmitted to the AVNM; rather the CMW is attempting to establish a communication session.

While Ludwig does disclose a CMW sending requests to an AVNM while the CMW is engaged in a communication session, Ludwig does not disclose determining an address from any of these requests. *See, e.g.*, *id.* at column 23, lines 17-52. This is because Ludwig only discloses a CMW communicating with an AVNM while the CMW is engaged in a communication session when a call request from a third party is received by the AVNM. *See id.* In this case, it is entirely unnecessary for the AVNM to determine an address from a message received from the CMW; the third-party CMW is already connected to the AVNM and any of the steps which would typically necessitate the use of an address received from a CMW have already been completed.

See, e.g., id. at column 22, lines 18-23. Furthermore, it would be impossible for the AVNM to determine an address from a request received from a CMW engaged in a communication session, as there is no disclosure in Ludwig that a CMW is capable of requesting an address from the Directory Service while the CMW is also engaged in a communication session.

As Ludwig fails to disclose the claimed determining a destination address from a message received from an endpoint engaged in a collaborative communication session, Ludwig fails to teach every element and recitation of claim 64. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the 35 U.S.C. § 102(b) rejection of independent claim 64, and any claims that depend therefrom.

B. Independent Claim 76

Independent claim 76 recites the following relevant limitations: “a multi-media message,” and “an identification module configured to determine a...domain...wherein the domain determines the routing of the message,” and “a transmitter configured to route the multi-media message to a destination endpoint in accordance with the identified domain.”

1. Ludwig fails to disclose an identification module configured to determine a domain, wherein the domain determines the routing of a multi-media message.

The Examiner appears to argue that an AVNM that queries a service instance to determine the location of a callee's Collaboration Initiator, and sends a call event to the callee's Collaboration Initiator if the callee is local or forwards a call request through a WAN gateway for transmission via a WAN to the callee's Collaboration Initiator if the callee is remote, discloses the claimed identification module configured to determine a domain, wherein the domain determines the routing of the message. *See* Office Action page 7. Applicants respectfully disagree. There is absolutely no disclosure in Ludwig of a domain that determines the routing of a multi-media message, as claimed. There are two types of networks and communications disclosed in Ludwig: an AV Network that transmits audio and video signals, and a Data Network that transmits data (non-audio or video signals). *See, e.g.,* Ludwig column 15, lines 45-61. A caller's Collaboration Initiator exclusively communicates with the AVNM using the Data Network. *See, e.g.,* Ludwig column 18, lines 56-59. Signals transmitted to the AVNM comprise “configuration information,” callee location information, service information, and “other relevant initialization information.” *See, e.g., id.* column 18, lines 56-63. Ludwig does not disclose what

“configuration information” or “other relevant initialization information” is, but makes clear that all audio and video signals, rather than being sent to the AVNM, are sent to the A/V Switching Circuitry. *See, e.g.*, *id.* column 22, lines 53-56; Fig. 3. Thus, it is clear that the AVNM does not receive audio or video signals, and therefore does not receive multi-media messages. Because the AVNM does not receive a multi-media message, even if, *arguendo*, the AVNM determines a domain that in turn determines the routing of a message, the AVNM does not determine a domain that determines the routing of a multi-media message, as claimed.

2. Ludwig fails to disclose a transmitter configured to route the multi-media message to a destination endpoint in accordance with the identified domain.

The Examiner appears to argue that an AVNM that sends a call event to a callee’s Collaboration Initiator if the callee is local, or forwards a call request through a WAN gateway for transmission via a WAN to the callee’s Collaboration Initiator if the callee is remote, discloses the claimed transmitter configured to route the multi-media message to a destination endpoint in accordance with the identified domain. *See* Office Action page 7. Applicants respectfully disagree. As discussed above, and fully incorporated herein, Ludwig fails to disclose a domain that determines the routing of a multi-media message. Thus, it would be impossible for Ludwig to disclose a transmitter configured to route the multi-media message to a destination endpoint in accordance with the identified domain, as claimed.

Also, as discussed above, and fully incorporated herein, the AVNM does not receive or transmit multi-media messages; only the A/V Switching Circuitry receives audio and video messages. It is unclear how the A/V Switching Circuitry is configured by the AVNM to connect two parties together. Ludwig merely discloses “the AVNM sets up the necessary communication paths between the caller and the callee to establish the call.” Ludwig column 22, lines 40-42. Since a prior art reference can only be relied upon “for all that it would have reasonably suggested to one having ordinary skill in the art,” such minimal disclosure in Ludwig cannot be said to disclose anything as specific as routing a multimedia message to a destination endpoint in accordance with an identified domain which determines the routing of the message, as claimed. *See* M.P.E.P. § 2128.

As Ludwig fails to disclose the claimed identification module configured to determine a domain, wherein the domain determines the routing of a multi-media message, and fails to

disclose the claimed transmitter configured to route the multi-media message to a destination endpoint in accordance with the identified domain, Ludwig fails to teach every element and recitation of claim 76. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the 35 U.S.C. § 102(b) rejection of independent claim 76, and any claims that depend therefrom.

IV. CONCLUSION

In view of the above, it is respectfully submitted that the present application is in condition for allowance. In the event that a variance exists between the amount tendered and that required by the U.S. Patent and Trademark Office to enter and consider this Amendment, or to prevent abandonment of the present application, please charge or credit such variance to the undersigned's Deposit Account No. 50-2613, Order No. 45098.00010.UTL1.P1068, including the petition for extension of time.

Respectfully submitted,

PAUL, HASTINGS, JANOFSKY & WALKER LLP

Date: 9/22/06

By: 

Amy Simpson, Esq.

Registration No. 54,688

PAUL, HASTINGS, JANOFSKY & WALKER LLP

Customer Number: 36183

P.O. Box 919092

San Diego, CA 92191-9092

Telephone: (858) 720-2500

Facsimile: (858) 720-2555